

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Plaintiff,

v.

PREVEZON HOLDINGS LTD., *et al.*

Defendants,

ALL RIGHT, TITLE AND INTEREST IN THE
REAL PROPERTY AND APPURTENANCES
KNOW AS THE 20 PINE STREET
CONDOMINIUM, 20 PINE STREET, NEW
YORK, NEW YORK 10005, UNIT 1816 ("20
PINE STREET, UNIT 1816"), *et al.*,

Defendants *in Rem.*

Case No. 1:13-cv-06326 (TPG)

ECF CASE

**DECLARATION OF MARK A. CYMROT
IN SUPPORT OF DEFENDANTS'
RENEWED REQUEST FOR AN ORDER
TO SHOW CAUSE WHY WILLIAM
BROWDER SHOULD NOT BE HELD IN
CONTEMPT AND WHY THE
GOVERNMENT SHOULD NOT BE
SANCTIONED**

Mark A. Cymrot hereby declares as follows:

1. I am a member of the bar of this Court and a partner at Baker & Hostetler LLP, and am counsel of record for the above-captioned Defendants in this action. I respectfully submit this declaration in support of Defendants' Renewed Request for an Order to Show Cause Why William Browder Should Not Be Held in Contempt and Why the Government Should Not Be Sanctioned.

2. Attached as Exhibit 1 to this declaration is a true and correct copy of a compilation of documents reporting public events in New York City where William F. Browder appeared.

3. Attached hereto as Exhibit 2 to this declaration is a true and correct copy of an article published by the *Daily Beast* on December 9, 2015 entitled “Russians Stick U.S. With \$50K Plaza Hotel Bar Bill.”

4. Attached hereto as Exhibit 3 to this declaration is a true and correct copy of a press release published by William F. Browder’s website *Law and Order in Russia* on December 3, 2015 entitled “Alleged Money Launderers in the Magnitsky Case to Be Brought to Trial in New York on January 6, 2016.”

5. Attached hereto as Exhibit 4 to this declaration is a true and correct copy of a compilation of new articles concerning this case.

6. Attached hereto as Exhibit 5 to this declaration is a true and correct copy of the United States September 10, 2013 Press Release concerning this case.

7. Attached hereto as Exhibit 6 to this declaration is a true and correct copy of screenshots of the twitter feed for the United States’s Attorneys’ Office for the Southern District of New York dated September 10, 2013 concerning this case.

8. Attached hereto as Exhibit 7 to this declaration is a true and correct copy of a press release published by William F. Browder’s website *Law and Order in Russia* on September 11, 2013 entitled “U.S. Department of Justice Files Case to Seize Over \$23 Million in Manhattan Real Estate Connected to Magnitsky Case.”

9. Attached hereto as Exhibit 8 to this declaration is a true and correct copy of an article published by Radio Free Europe dated September 18, 2013 entitled “Could U.S. Assets Seizure Lead to Expansion Of Magnitsky Blacklist?

10. Attached hereto as Exhibit 9 to this declaration is a true and correct copy of email correspondence between the Government and Defendants regarding rescheduling the deposition of William F. Browder.

11. Attached hereto as Exhibit 10 to this declaration is a true and correct copy of a Harvard Business School Case Study entitled "The Hermitage Fund: Media and Corporate Governance in Russia."

12. Attached hereto as Exhibit 11 to this declaration is a true and correct copy of a notice of deposition for William F. Browder setting the deposition for December 3, 2015.

13. Attached hereto as Exhibit 12 to this declaration is a true and correct copy of an email between counsel for Defendants and counsel for William F. Browder.

14. Attached hereto as Exhibit 13 to this declaration is a true and correct copy of a facsimile from counsel for the Government to Bank of America dated November 25, 2015.

15. Attached hereto as Exhibit 14 to this declaration is a true and correct copy of a compilation of "tweets" from the Twitter profiles of William F. Browder, Marc Sabah (a Hermitage affiliate and/or employee), and Katie Fisher (a Hermitage affiliate and/or employee).

16. Attached hereto as Exhibit 15 to this declaration is a true and correct copy of a press release published by William F. Browder's website *Law and Order in Russia* on December 10, 2015 entitled "Russian official Offers to Become FBI Information to Assist Son Allegedly Involved in Money Laundering Scandal in Magnitsky Case."

17. Attached hereto as Exhibit 16 to this declaration is a true and correct copy of the Court's minute order dated November 9, 2015 ordering William F. Browder to appear for a further deposition.

18. Attached hereto as Exhibit 17 to this declaration is a true and correct copy of Second Amended Notice of Deposition for William F. Browder setting his deposition for December 7, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 11, 2015
New York, New York

Respectfully submitted,
BAKER & HOSTETLER LLP

/s Mark A. Cymrot

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